

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TIFFANY RECINOS ,

Plaintiff,

v.

WASHINGTON STATE, et al.,

Defendants.

Case No. C23-5433 RSM

ORDER DISMISSING CASE

On May 11, 2023, Plaintiff, proceeding *pro se*, filed an application to proceed *in forma pauperis* and a proposed complaint against several defendants, including the Social Security Administration. *See* Dkt. 1. On May 15, 2023, the Court reviewed Plaintiff's submission but found it to be duplicative of an earlier complaint Plaintiff had filed on March 7, 2023—in both complaints, Plaintiff challenges the Commissioner of Social Security's decision to deny benefits under 42 U.S.C. § 405(g). *See* Dkt. 3; *Recinos v. Comm'r of Social Security*, 3:23-cv-5183-TLF. The Court, taking into consideration of Plaintiff's *pro se* status, explained that she is not allowed to pursue two separate actions. *See id.* at 2–3 (citing *Adams v. California Dept. of Health Services*, 487 F.3d 684, 688 (9th Cir. 2007) (“Plaintiffs generally have ‘no right to maintain two separate actions involving the same subject matter at the same time in the same court and against the same defendant.’”)). The Court, therefore, ordered Plaintiff to show cause as to why this case should not be dismissed as duplicative, on or before June 5, 2023. *See id.* at 2–3.

1 On May 22, 2023, Plaintiff filed a response to the Court's order, but in her response,
2 Plaintiff only further challenged the decision of the Commissioner and included several
3 statements unrelated to her complaints. *See* Dkt. 5. The Court finds Plaintiff's response fails to
4 show why this case is not duplicative of her March 2023 claim. Accordingly, the Court
5 ORDERS that this case is DISMISSED with prejudice. *See Adams*, 487 F.3d at 688 ("After
6 weighing the equities of the case, the district court may exercise its discretion to dismiss a
7 duplicative later-filed action . . ."). Plaintiff also filed a proposed motion to appoint counsel on
8 May 26, 2023 (Dkt. 6), but as the Court is dismissing this case, the Court terminates that motion
9 as moot.

10 DATED this 12th day of June, 2023.

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14 RICARDO S. MARTINEZ
15 UNITED STATES DISTRICT JUDGE
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